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Total Number of Pages in This Submission

3

Application Number

09/715,725

Filing Date

November 16, 2000

First Named Inventor

LUO, YING

Group Art Unit

1642

Examiner Name

UNGAR, SUSAN NMN

Attorney Docket Number

RIGL-008CIP

**ENCLOSURES (check all that apply)**

- ☐ Fee Transmittal Form  
☐ Fee Attached  
☐ Amendment / Reply  
☐ After Final  
☐ Affidavits/declaration(s)  
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☐ Express Abandonment Request  
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☐ Certified Copy of Priority Documents  
☐ Response to Missing Parts/  
Incomplete Application  
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under 37 CFR 1.52 or 1.53

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identify below):

Response to Notification of Non-  
Compliant Appeal Brief (2 pgs.)

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Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Signing Attorney/Agent  
(Reg. No.)JAMES S. KEDDIE, PH.D., 48,920  
BOZICEVIC, FIELD & FRANCIS, LLP

Signature

Date

August 29, 2006

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EXPRESS MAIL LABEL NO.EV 686 489 718 US

<b>Response to Notification of Non-Compliant Appeal Brief</b>  Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket No.	RIGL-008CIP
	Confirmation No.	6653
	First Named Inventor	LUO, YING
	Application Number	09/715,725
	Filing Date	November 16, 2000
	Group Art Unit	1642
	Examiner Name	UNGAR, SUSAN NMN
	Title:	<i>"NOVEL IAPS ASSOCIATED CELL CYCLE PROTEINS, COMPOSITIONS AND METHODS OF USE"</i>

Sir:

This communication is responsive to the Notification of Non-Compliant Appeal Brief dated August 22, 2006, for which a one month period for response was given making this response due on or before September 22, 2006.

The Notification of Non-Compliant Appeal Brief states that support for independent claims 26 and 29 must be pointed out in Appeal Brief, by referring to the specification by page and line number or to the drawings.

The Appellants note that the nucleotide sequence recited in claim 26 is fully supported by Fig. 7, and the amino acid sequence recited in claim 30 is fully supported by Fig. 8.

Since the Appeal Brief clearly indicates that: a) claim 26 is supported by Fig. 7<sup>1</sup> and b) claim 29 is supported by claim 8<sup>2</sup>, the Appellants submit that the Appeal Brief is already in full compliance with 37 C.F.R. § 41.37, and, as such, a substituted Appeal Brief need not be required.

Acknowledgement of such is respectfully requested.

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<sup>1</sup> See Appeal Brief, page 3, last paragraph: "Claim 26 recites a recombinant ING2 protein encoded by the contiguous polynucleotide sequence of nucleotides 120-845 of the nucleic acid set forth in SEQ ID NO:7 (***Fig. 7***)."

<sup>2</sup> See Appeal Brief, page 4, second paragraph: "Claim 29 recites a recombinant ING2 protein consisting essentially of the contiguous amino acid sequence set forth SEQ ID NO:8 (***Fig. 8***)."


The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number RIGL-008CIP.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: \_\_\_\_\_

Aug 29, 2006

By: \_\_\_\_\_

  
James S. Keddie, Ph.D.  
Registration No. 48,920

BOZICEVIC, FIELD & FRANCIS LLP  
1900 University Avenue, Suite 200  
East Palo Alto, CA 94303  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231